

## **MEETING #5 February 9**

At a Regular Meeting of the Madison County Board of Supervisors on February 9, 2010  
at 3:00 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman  
James L. Arrington, Vice-Chairman  
J. Dave Allen, Member  
Jerry J. Butler, Member  
Pete J. Elliott, Member  
V. R. Shackelford, III, County Attorney  
Lisa A. Robertson, County Administrator  
Jacqueline S. Frye, Secretary

Chairman, Eddie Dean called the meeting to order and stated that all members are present, therefore, a quorum was established.

Chairman, Eddie Dean commented on the impending report for inclement weather and stated the Board will be announcing later today as to whether the evening session will still be held as scheduled.

### **IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION**

Donald Gore, Resident Engineer, was present and provided the following report for the month of December 2009: snow removal; brush was cut a little further than was has been done in the past – contractors have also been hired to assist with cutting/removing trees from the roadways; also stated the department has been working closely with the power companies to get the trees off the lines; also spotted stone on non-hard surface roads and performed some blade work (as permitted).

Donald Gore stated that a Public Hearing has been scheduled to discuss a discontinuance on Route 611 (Old Shotwell Road) for March 25, 2010 at 3:00 p.m. in the Auditorium at 414 N. Main Street (not a joint meeting) to allow the citizens of Madison County to attend without difficulty.

Donald Gore stated the current storm that is impending will range on the lower end of accumulation; also stated at the Orange County Board Meeting, he was chastised for making a comment on “which way to throw the snow” when citizens are

clearing their driveways – he explained that snow should be thrown to the right – the snow plows only travel in the same direction as the flow of traffic which will lessen the re-depositing of snow when the snow plows clear the main roads.

Donald Gore stated there have also been comments made to the effect there are people “sitting in the office at night with nothing to do” (Virginia Department of Transportation) and this is untrue – he advised that all decisions made on the part of the Virginia Department of Transportation are based on reports attained from the Meridian Weather Service (participating contractor) and the National Weather Service in order to determine which recourse of action to take regarding; he also explained there are three (3) crews (day and night) that work twelve (12) hour shifts and further provided an overview of the schedules of each crew – he stressed there is no overtime unless there is inclement weather and the crews must put in additional time. In closing, he stated the Department does look at overtime, and also stated the forecast is calling for high winds through the night (26 mph with 36 mph gusts).

James L. Arrington complimented the Madison crew of the Virginia Department of Transportation and the wonderful job they have done in clearing the main roads; however, he asked why there is such a vast difference between Counties, as he traveled to the Town of Culpeper and the roads are very icy, but the exact opposite in Madison County.

Donald Gore explained the Virginia Department of Transportation does the roads in Madison County and the Town of Culpeper is responsible for clearing their own streets – clearing in the Town of Culpeper depends upon the amount of travel; he also explained this snow storm was wet/heavy and became compacted very quickly.

James L. Arrington also asked about the Public Hearing on Shotwell Hollow Road, to which Donald Gore stated the Virginia Department of Transportation would like to move forward with a discontinuance on that particular road which hasn't been maintained by the Department since the 1930's – a Public Hearing must be held before this action can be taken; however, this does not take away the right-of-way on the

roadway but will allow the Virginia Department of Transportation to discontinue any type of maintenance, for 1.02 miles from Route 600 to Route 231.

Pete J. Elliott asked Donald Gore to encourage the Madison crew of the Virginia Department of Transportation to 'go easy' on the County's blue road signs.

Chairman, Eddie Dean thanked Donald Gore for his assistance and the Madison crew for their hard work during the inclement weather.

## **IN RE: PAYROLL & CLAIMS**

### **Certificate of Claims – Capital Fund (January - FY2010)**

Chairman, Eddie Dean stated the Board will need to approve the Certificate of Claims for the Capital Fund for January – FY2010, (Checks #10132617; 2713, 2714) totaling \$493,273.43 (including the supplement that was made for the Courthouse Project) - all expenditures are for the Courthouse Project.

After discussion, on motion of J. Dave Allen, seconded by Pete J. Elliot, the Certificate of Claims for the Capital Fund (Checks #10132617, 2713, and 2714) totaling \$493,273.43 are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
J. Dave Allen	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye

### **Certificate of Claims – General Fund (January – FY2010):**

Chairman, Eddie Dean stated the Board will need to approve Certificate of Claims for the General Fund for January 2010 - FY2010, totaling \$689,719.74 (Checks #10132618-2712; 2715-2796, Payroll Electronic Transfer 3561-3564, Payroll Checks #30110719-724 and Payroll Expense Checks #30110725-733 and Payroll Direct Deposits 3449-3560).

James L. Arrington stated he did not get to review the General Fund expenditures and asked if there was anything usual during the month, to which Teresa

Miller, Finance Director, advised there was not and that all were general operational expenses for the month.

After discussion, on motion of Pete J. Elliott, seconded by J. Dave Allen, the aforementioned Certificate of Claims – General Fund (January 2010 – FY2010) totaling \$689,719.74 (Checks #10132618-2712; 2715-2796, Payroll Electronic Transfer 3561-3564, Payroll Checks #30110719-724 and Payroll Expense Checks #30110725-733 and Payroll Direct Deposits 3449-3560).

Eddie Dean	Aye
James L. Arrington	Aye
J. Dave Allen	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye

Jerry J. Butler asked how many County employees (full-time/part-time) are currently on the payroll, to which Teresa Miller, Finance Director, advised the total varies from 115 to 120 in that not all part-time employees work each month.

Teresa Miller, Finance Director, advised that each Board member has been given a revenue printout; she stated the revenues are not decreased by four to five million (as some believe); she also stated that real estate taxes for Madison County are collected differently and the other half of these taxes will not be collected until June 2010. Additionally, she advised that revenue from the State doesn't become available until the end of the fiscal year and although the County's tax delinquency rate is very low, these taxes account for about four percent (4%).

Pete J. Elliott asked Teresa Miller, Finance Director, if she could provide an estimate (or percentage) as to how much revenues are down, to which Teresa Miller, Finance Director, advised that she would prefer not to guess as most revenue will not be made available to the County until April, May and June 2010.

Teresa Miller, Finance Director, also advised there are changes in how the NADA values vehicles this year as opposed to prior years.

Jerry J. Butler asked if there was a procedure in place to collect delinquent taxes, to which Teresa Miller, Finance Director, suggested be addressed by Stephanie Murray, Treasurer.

James L. Arrington questioned the NADA vehicle values, to which Teresa Miller, Finance Director, advised that according to Gale Harris, Commissioner of the Revenue, a determination is made on the value of vehicles based on the sales per calendar year - it is anticipated the value on tractor trailers will decrease by about twenty to fifty percent (20%-50%) as there is a reduction in the sales of these vehicles, however, sport utility vehicles (SUV) appear to be in high demand, and although the larger models (Expeditions, Excursions) aren't selling, the smaller models are which enhances the value of this particular vehicle. In turn, it's difficult to determine how much tax income will be lost, although it was about eighteen percent (18%) during the past year. In closing, she stated the trade-in value will be used to determine the value of vehicles.

Teresa Miller, Finance Director, also reminded the Board members of the upcoming Budget Workshop Session scheduled for Friday, February 5, 2010, beginning at 9:00 a.m. – the session will last all day.

Teresa Miller, Finance Director, also stated the paperwork was received on the Interoperability Grant – she will have the Resolution ready for signing on Friday.

#### **IN RE: SCHOOL SYSTEM**

Dr. Brenda Tanner, Superintendent, was present and stated the School System is busy dealing with the weather and determining whether school will be open or closed; it has currently been determined there are only about six (6) roads [out of (30)] that are significantly impacted by the inclement weather and the school system is trying to develop a back-up plan to determine a drop off point which will include parents getting their children to the designated drop-off point; she also stated the School System's calendar has back-up contingency days for inclement weather and explained the school calendar; in order to make up days, all previously scheduled holidays are being relinquished.

Dr. Brenda Tanner, Superintendent, stated the School Board members approved the school calendar for the upcoming school year at last night's meeting and this document should be on the School's website later this afternoon; she also stated the School System is looking at adding grading scale information to the school's website;

In closing, Dr. Brenda Tanner, Superintendent, stated she will provide budgetary information to the Madison County Board of Supervisors during the 4:00 p.m. session later today.

#### **IN RE: COUNTY FACILITIES**

Ross Shifflett, Director of Facilities, provided a report for the month of January 2010 which included the following:

- 1) Waste Management bill for the past month totaled \$40,284.00;
- 2) March 2010 is 'free brush month' at the Madison County Transfer Station;
- 3) There are broken gutters at the War Memorial Building and Thrift Road Complex – multiple pricing will be attained and repairs will be made once the weather is better (multiple quotes will be attained prior to any repairs being made)

Pete J. Elliott asked about a data entry for \$500 spent on port-a-johns and questioned why the County is paying for this item during this time of the year.

Ross Shifflett, Director of Facilities, advised the County has port-a-johns located at the walking track and the hockey rink year round as there are many citizens who frequent these locations during the entire calendar year; he also stated the County is only paying for port-a-johns at these two (2) locations.

Jerry J. Butler asked about clean up procedures over the weekend and how many people were included.

Ross Shifflett, Director of Facilities, advised that Roger Berry was the only staff member working on Friday (moving vehicles at the Sheriff's Office); there were no staff available to work on Saturday, and Roger Berry was able to get out on Sunday and cleaned up along with the contractors in the Town of Madison. In closing, he stated that all clean up detail was completed on Monday (along with the contractor) to clear the sidewalks, lots, etc.

Jerry J. Butler also if the keys to the County tractor could be left at the Sheriff's Office when it isn't being used so another County employee could use it during future snowstorms, if necessary, to which Ross Shifflett, Director of Facilities, advised could be done.

Pete J. Elliott asked Ross Shifflett, Director of Facilities, to provide costs associated with the recent snow removal.

#### **IN RE: SOCIAL SERVICES & CSA**

Nan Coppedge, Director of Social Services, was present and provided statistics for the SNAP Program (food stamp) and also stated that her Department was heavily involved with the shelter that was operating during the recent snow storm that included seven (7) of her staff members who worked sixty-two (62) hours; current food stamp statistics for 2009 total \$1,626,780.00 and currently serves 1,275 individuals, which is an increase since 2008; there have also been many Medicaid applications but the priority is to get the food stamp applications processed first as in most cases, Medicaid benefits are retroactive; she also stated that Doris Turner and Jerry J. Butler attended the new member's training for the Department of Social Services Board in January 2010; she also thanked the Fire Department for assisting with the shelter that was in operation during the recent snow storm.

#### **IN RE: CHAMBER OF COMMERCE**

Chairman, Eddie Dean advised that Tracey Williams-Gardner, Tourism Director, was not present today, but a monthly report has been provided for review and information.

#### **IN RE: E911**

Robert Finks, Director of Emergency Communications was present and provided the following report for January 2010: Activities were relatively slow during the month (compared to last month) – however, it appears that activities for February 2010 will make up the difference; he stated there were dispatchers that stayed overnight at the E911 center in order to provide uninterrupted service during the snow storm; he and Carl

Pumphrey, Director of Emergency Management Services, participated in daily conference calls and had to provide reports to confirm the weather activities in Madison County in order to request supplies and equipment to assist with the incoming storm.

Robert Finks, Director of Emergency Communications, stated there were a record number of calls from citizens who were stranded with no heat/electricity – overall, the E911 center was very busy.

Pete J. Elliott expressed appreciation for all the efforts demonstrated by the E911 Center and staff during the snowstorm; accolades were also verbalized by James L. Arrington, as well.

#### **IN RE: EMERGENCY PREPAREDNESS**

Carl Pumphrey, Director of Emergency Management Services, provided a report for the month of January 2010 which included an overview on the costs associated with the recent snowstorm – he also stated that he spoke with a representative from the Virginia Department of Emergency Management and was informed that Madison County should receive some recovery funds, although it isn't yet known how soon the funds will be received; he also stated the map of hazardous materials location (Tier II) located within Madison County has been completed and is ready to be used by emergency responders.

Jerry J. Butler questioned if it would be possible to get larger trucks from the National Guard in the future, as it was noted the humvees got hung up in some locations and whether the County can make such a request.

Carl Pumphrey, Director of Emergency Services, stated there was a request for alternative vehicles – the humvees aren't able to maneuver well in twenty inches of snow; a request for 2.5 ton trucks (from Richmond) – he stated resources were limited at that time (the humvees came from Charlottesville and the 2.5 ton truck came from Richmond); he also stated that in lieu of the recent snowstorm that is being predicted, a request might be made for the National Guard to return as well as a request for larger



trucks – it has been confirmed that the unit will likely return to Madison County in the future.

Carl Pumphrey, Director of Emergency Services, stated the Governor declared a state of emergency on Wednesday, February 3, 2010 and as per the request of Chairman, Eddie Dean, it was declared that a local emergency was in effect for February 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> – emergency shelter assistance was also provided for citizens of Greene and Orange Counties during the recent snowstorm.

James L. Arrington thanked Carl Pumphrey, Director of Emergency Management Services, for the assistance he provided to the citizens of Madison County during the recent snowstorm.

Pete J. Elliott also expressed appreciation to Carl Pumphrey, Director of Emergency Management Services, Nan Coppedge, Director of Social Services, and the volunteers for all the assistance they provided at the shelter site during the recent snowstorm.

Chairman, Eddie Dean asked if there was any additional assistance needed on behalf of the Madison County Board of Supervisors, to which Carl Pumphrey, Director of Emergency Management Services, advised that everything will be fine and there will be an “after action report” provided at a later time.

#### **IN RE: EMS CAREER**

Lewis Jenkins, Director of Emergency Medical Services, was present and provided the following report for January 2010:

Total calls toned: 73

Total calls handled: 64

Total calls, no response: (9) Greene calls for mutual aid assistance were not answered

Avg. in-County response time to the scene: 10 minutes

Night coverage: (11) hours of night coverage on (18) nights

Total calls handled: 17

Lewis Jenkins, Director of Emergency Medical Services, stated that training was held with the local midwife on caring for ‘baby and mom’ in the home delivery setting; he also advised that coverage and response during the snowstorm were challenging; the department did provide additional nights of coverage during the past weekend; the inclement weather policy was in effect for an extended period of time.

#### **IN RE: LAW ENFORCEMENT & COURT SECURITY**

Erik Weaver, Sheriff, provided the following report for January 2010:

1. Calls for service: 848
2. Criminal arrests: 34
3. Civil process: 400
4. Days of Court: 12
5. Crimes Reported (to Sheriff's Office): 60
6. Court security fees (paid) to Treasurer: \$4,253.86
8. Local fines paid to Treasurer: \$12,114.92

Erik Weaver, Sheriff, also stated law enforcement were able to assist the community during each shift (thanks to Ross Shifflett, Director of Facilities and Wes Smith, Building Official); he stated that transportation was provided to citizens who were without transportation or electricity – there was a family found living in their van due to not having received their supplemental check for the month – citizens were made aware of the local shelter that was operating during the snowstorm. In closing, he stated the National Guard provided much assistance; he also stated that on Route 15 (eastern side), the Madison County Sheriff's Office no longer patrols the area and this area is now handled by law enforcement from Rhoadesville, Virginia.

James L. Arrington asked if all was going well with the new law enforcement vehicles, to which Erik Weaver, Sheriff, advised that one (1) vehicle had to be returned to Richmond for service – he is awaiting a return call from Eddins Ford, Inc.

James L. Arrington thanked Erik Weaver, Sheriff, and the Deputies for their assistance during the recent snowstorm.

Pete J. Elliott suggested the Board informed if there was anything needed to make things run more smoothly.

Erik Weaver, Sheriff, stated that everyone is working together during this difficult time.

#### **IN RE: TREASURER**

Stephanie Murray, Treasurer, stated that delinquent tax notices were mailed during the last month – citizens are given until the end of January 2010 to pay any delinquent taxes, after which time, procedures will be implemented to enforce collection proceedings; she also stated that repayment arrangements are made for those citizens who contact the Treasurer's Office, however, if citizens don't abide by the arrangements that are put into place, as well as those who do not contact the Treasurer's Office to make any type of payment arrangements, the debt amount is submitted to the State and any monies (i.e. lottery winnings, salary, tax refunds) is also entered into the State system; she also advised that a bank lien was initiated during the last week and the results of that form of action should be available within the next week or so. Additional, delinquent tax notifications are in place with the Department of Motor Vehicles which denies delinquent tax payers the privilege of renewing their license(s) on vehicles – tax liens will be implemented shortly.

#### **IN RE: CENTRAL VIRGINIA REGIONAL JAIL**

Steven S. Hoffman was present and stated that he represents Madison County on the Rapidan Services Authority Board and the Central Virginia Regional Jail Authority.

Steven S. Hoffman provided a quick overview of the operations and responsibilities of the Central Virginia Regional Jail as well as explaining the following:

- 1) The funding responsibility of the five (5) localities that utilize the facility;
- 2) The facility can no longer house federal prisoners (there are currently about 75-80 inmates from Madison County housed there);
- 3) The budget for the facility is on a 'cost basis';
- 4) An overview of the 'cost per diem' with regard to each inmate with emphasis on those with medical conditions and costs associated with medical care;
- 5) The budget for the facility will be finalized later this week.

Jerry J. Butler thanked Steven S. Hoffman for the information provided.

Steven S. Hoffman invited the Board members to visit the Central Virginia Regional Jail (two members at a time) to see the day-to-day operations at the facility.

James L. Arrington asked about plans to expand the facility.

Steven S. Hoffman stated that a study was done about two (2) years ago and it was felt that by 2013-2014, a larger facility will be needed based on the increased crime rate - the Jail Authority is waiting on the General Assembly; however, there is currently \$5,000,000,000.00 dedicated for an expansion and the Central Virginia Regional Jail Authority will be responsible for the bond and borrowing of funds rather than have this represented by each participating locality.

In closing, Steven S. Hoffman stated the Jail Authority is trying to be proactive rather than reactive and continue to look ahead to the future.

James L. Arrington questioned the amount of federal money that is received for each prisoner, to which Steven S. Hoffman indicated is currently \$50.00.

Steven S. Hoffman commended F. Glenn Aylor, Superintendent, and the efficiency of the operations that take place in the Central Virginia Regional Jail.

J. Dave Allen asked when the proposed expansion will be completed and how

many beds will be included.

Steven S. Hoffman advised the expansion is currently in the planning stages and will include one hundred (100) additional beds; he also stated the Central Virginia Regional Jail Authority is hoping the current legislation in the General Assembly will allow the Department of Corrections and the Department of Corrections Board to make decisions regarding jail sanctions instead as it if deemed there are funds that will be sought as being “discretionary” if the General Assembly continues to control jail sanctions. Additionally, it is anticipated that should the General Assembly relinquish control of jail sanctions and allow the Department of Corrections and the Department of Corrections Board, the turnaround time for a decision will be greatly reduced.

Steven S. Hoffman also provided an overview of the funding that has been terminated by the General Assembly, however, the Central Virginia Regional Jail also owns one-third of a lobbyist who is compensated \$20,000.00 annual and for five (5) years, this effort has proven to be very successful in delaying the General Assembly in making a decision to change the per diem for inmates (to the Central Regional Jail) – although \$60,000.00 was spent, the entity earned \$3,500,000,000.00. In closing, he stressed the importance of communicating with Senator Edd Houck and Delegate Ed Scott and letting them be aware of what is needed.

Pete J. Elliott asked if there was enough property to accommodate the proposed expansion, to which Steven S. Hoffman, advised there is.

Steven S. Hoffman stated the last two (2) expansions to the facility did not result in any conflict from the local citizens.

Lisa Robertson, County Administrator, asked if the budget amount (to be approved later in the week) is based on the belief that the exemption will remain in place, to which Steven S. Hoffman stated was correct.

Lisa Robertson, County Administrator, clarified that the exemption (if continued) remains in place, it is her understanding (from conversing with F. Glenn

Aylor, Superintendent) it could add a significant amount of funding to the budget, to which Steven S. Hoffman stated all members on the Central Virginia Regional Jail Authority are hopeful will be the end result.

### **IN RE: RAPIDAN SERVICE AUTHORITY (RSA)**

Steven S. Hoffman provided an overview of the services provided by the Rapidan Service Authority and advised the entity does stand alone and has the following:

- 1) One (1) water treatment plant [250 g.p.d.];
- 2) White Oak Lake;
- 3) A storage tank is located on Courthouse Mountain (1.5 million gallons);
- 4) There are eight (8) miles of water main along Main Street with 284 connections.

Steven S. Hoffman stated the RSA does not have sewer capacity and also provided a brief overview of the small sewer plant (60,000 gallons per day); he also stated that once a sewer plant reaches eighty percent (80%) capacity, several rules are mandated and a new sewer plant will be needed. Additionally, he stated he met with a developer (who wanted to purchase a farm and build several houses) and explained to him of the sewer plant problems; he stated the authority is very close to the federal mandate margin and all sewer capacity has been purchased, although not used at the present time.

Steven S. Hoffman stated that upgrades were incorporated when times became difficult and there Rapidan Service Authority currently operates with a very small staff.

James L. Arrington clarified there is no available sewer capacity and if an individual wants to 'tap' in Madison, this cannot be accomplished, to which Steven S. Hoffman advised was correct.

James L. Arrington asked if ‘taps’ can be transferred, to which Steven S. Hoffman advised they cannot and he also stated that an “EDU” generally allows about 250 gallons of water per day for a family of four (4).

Steven S. Hoffman also stated monies collected from “EDU’s” goes toward the upkeep of the entire plant.

Pete J. Elliott asked if everybody who now owns an “EDU” decided to utilize this, is there capacity to accommodate this usage.

Steven S. Hoffman stated that water “EDU’s” are available but there are none available for sewer as these are already purchased (dedicated) and paid for, although not all are currently being used. In closing, there are some “EDU’s” that were purchased for developmental purposes but aren’t currently in use.

Pete J. Elliott asked if there is capacity for all the “EDU’s” that have been purchased, to which Steven S. Hoffman advised was correct and the Rapidan Service Authority has not oversold these, whereas, there are some localities that do oversell and when this practice is done, there end up being more people attempting to use the “EDU’s” than what is actually available.

James L. Arrington asked if any water was being sold to surrounding localities, to which Steven S. Hoffman advised was not being done at the present time.

Steven S. Hoffman stated that many years ago, the County extended the waterline to Sheetz (convenience store) and it was thought the waterline could be extended to Liberty Fabrics; however, Greene County extended to Liberty Fabrics so the space between Sheetz and Liberty Fabrics is the only portion that needs to be connected. In closing, Steven S. Hoffman stated the Rapidan Service Authority would like to extend the connection to offer a backup if the existing water plant became temporarily out of service; however, there isn’t funding to accomplish this task.

Steven S. Hoffman also stated the Rapidan Service Authority also offers water to individuals with cattle and explained the procedures involved in accomplishing this.

Pete J. Elliott asked in the event the plant became 'maxed out', would the "EDU's" still meet the federal guidelines, to which Steven S. Hoffman stated the Rapidan Service Authority has sufficient capacity for the "EDU's" that are sold but there is no capacity to sell any sewer "EDU's."

Steven S. Hoffman stated in the long run, the lack of additional sewer "EDU's" is an asset, although might not necessarily be so from a developer's standpoint.

#### **IN RE: PUBLIC COMMENT**

Chairman, Eddie Dean opened the floor for public comment.

Ron Houser of Youth Sports was present and explained that Youth Sports generally raised funds from bake sales and raffles; although the funds were handled very differently a few years ago, the procedure now includes that all funds generated are managed through Parks & Recreation which has worked out very well and the organization has been able to save more funding over the years. At the present time, Youth Sports has funds they'd like to donate towards developing more playing fields located at Hoover Ridge by having fencing installed on two (2) of the existing ball fields. It has been indicated that Youth Sports will need to attain permission from the Madison County Board of Supervisors in order to have this fencing installed; therefore, estimates have been attained and it appears it will cost about \$50,000.00 to have all five (5) fields fenced, but the organization only has enough (at the present time) to pay for fencing on two (2) fields which will facilitate space for the older children who have to go outside of Madison County as a result of there being insufficient space to accommodate their age group. In closing, Ron Houser stated it would be cheaper to do all the fields at the same time, Youth Sports does have enough funds to accommodate two (2) fields and would like to move forward with this action.

Chairman, Eddie Dean asked if there is a total amount that Youth Sports



would like to donate, to which Ron Houser stated it is about \$30,000.00, based on the estimates he has received from several companies.

Jerry J. Butler stated that he discussed this issue with Ron Houser and informed him that if Youth Sports has enough funds to complete two (2) ball fields before the spring season, this can be a viable option; however, he also advised that approval must be attained from the County since the proposed fencing will be on County-owned property. will need to approve the improvement. Additionally, once the fencing is installed, it would become "County property", to which Ron Houser stated this is how things have been done in the past (i.e. Waverly Yowell field); he also stated that Madisonians have been known to donate and work hard in order to get things done for the community.

James L. Arrington asked if there would be any additional restrictions placed on the funding donated by Youth Sports, with respect to usage.

Ron Houser stated that Youth Sports would only like to see the fencing of the fields as being a benefit to Hoover Ridge; he also stated that Youth Sports will not request any control of the fields.

Lisa Robertson, County Administrator, stated if the fields were to be improved for usage in the spring, the Board will need to move quickly; she suggested that a meeting be held to include Ross Shifflett, Director of Facilities, Youth Sports representatives and herself to determine actual costs associated with the request and have this as an Agenda item as soon as possible.

Chairman, Eddie Dean stated the Board will have budget workshop sessions (beginning Friday) and the following two (2) weeks, which will offer an opportunity for this item to be discussed further.

Chairman, Eddie Dean expressed appreciation to Ron Houser for the suggestion and feels that \$30,000.00 is a very generous offer, as well as an indication of some expectations that Youth Sports has had in looking forward to using these funds.

In closing, Chairman, Eddie Dean stated the Board will discuss this issue further and also offered volunteer labor in the event it would improve the pricing involved with this endeavor. Additionally, he stated it has not been the policy of the Madison County Board of Supervisors to turn down any opportunity for free improvements to County facilities and feels this Board will be more than receptive to this offer.

Pete J. Elliott also offered to volunteer in any way possible (i.e. machinery, physical labor).

Ron Houser questioned the procedures involved with the budget and whether a motion will be needed in order for Youth Sports to use the funds.

Lisa Robertson, County Administrator, stated that firmer numbers will be needed in order to project how much fencing can be attained with the \$30,000.00 that is being donated and also to determine the amount of additional funding that will be required to do the rest of the ball fiends at the site.

Chairman, Eddie Dean advised the dates of the budget workshops will be February 12<sup>th</sup>, 16<sup>th</sup> and 22<sup>nd</sup> beginning at 9:00 a.m. at the Thrift Road Office, and he also thanked Gary Houser for coming today.

Jerry J. Butler also stated that Tracey Williams-Gardner, Director of Tourism (Chamber of Commerce) has agreed to coordinate any volunteers that would like to register to assist with the project.

Steven S. Hoffman thanked Chairman, Eddie Dean for coming to the Command Center that was in operation during the recent snowstorm.

Chairman, Eddie Dean asked Carl Pumphrey and Robert Finks about the condition of the weather and whether the 7:30 p.m. session should be postponed.

Carl Pumphrey, Director of Emergency Management Services, advised the report is calling for two (2) to four (4) inches of snowfall during the early evening with an additional three (3) to seven (7) inches after 7:30 p.m.

Chairman, Eddie Dean asked Carl Pumphrey, Directory of Emergency

Management Services to investigate, as if that is the forecast, the Board may need to reschedule the Public Hearing scheduled for 7:30 p.m.

**IN RE: BUDGET PRESENTATION (Madison County School Board)**

Jeff Early, Chairman of the Madison County School Board was present and stated it has been disclosed that based on the Governor's decision regarding the composite index, the educational system could lose a significant amount in revenue – the proposed cutbacks from the State will definitely effect the classroom setting (i.e. student/teacher ratio) and the effects of the aforementioned repercussions will be felt.

Dr. Brenda Tanner, Superintendent, was also present and stated the information that was received is the same as was provided during the recent Joint Meeting that was held between the Madison County School Board and the Madison County Board of Supervisors; she also stated the budget is an estimate of what the Madison County School System feels will be needed in order to operate during the next fiscal year; she also stated the composite index change is the only additional information that has been received since the budget packets were handed out which includes a reduction in State funds of about \$1,000,050,000.00 (i.e. regular state funds [sales tax, state aid and general operational funding]). Additionally, Dr. Tanner stated the federal funding for the Title I Program and other special programs is noted as “carryover money” and is normally approved as a part of the normal budget – these funds allow the school system to operate the summer school program; she also provided information regarding stimulus funding and the difference between the federal timeline versus the school timeline. Additionally, Dr. Tanner stated there will likely be greater reductions (as per Richmond) and it is likely that in order to balance the budget, additional funding will be taken from the K-12 system and there will be no salary or benefit increases over the next year, and there will also be a reduction of twelve (12) employee positions [(5) professional positions, (7) classified positions {i.e. teachers, custodians, instructional assistants}]; there has also been an elimination of the purchase of any new equipment and

a delay in the replacement of buses (twelve [12] year cycle), but the School System will continue to fund the summer school program through federal funding. In closing, Dr. Tanner stated that today's news of the loss in revenue because of the Governor's position regarding the composite index will have a huge impact on the Madison County School System in that the re-calculated composite index for 2012 to distribute state funds to school divisions in FY2011 which (according to calculations) will automatically cause the school system to lose an additional \$394,686.00 in state funding; also, by delaying the composite indexing for one year, the State will have to find \$29,000,000.00 for the next fiscal year in order to put the proposed plan into place. In closing, Dr. Brenda Tanner advised the reason behind the request to delay (on the composite index) was to benefit the State in getting through the first year of economic hardship. As a result, she feels there will be additional cuts as the State tries to accommodate the proposed request.

Lisa Robertson, County Administrator, asked if there is legislation in place to change the annual rate (for the County), to which Dr. Brenda Tanner advised that she has seen nothing to date regarding this; however, she stated there are several new bills being introduced at this time; it appears the primary concern of present has been on the composite index.

Dr. Brenda Tanner, Superintendent, advised that updated budgetary information should be received during the week of March 1, 2010; she cautioned it is too early in the State budget process to guarantee the numbers provided are accurate in terms of what the final figure will be; she also stated that school enrollment is now holding steady at 1,800 and this figure will be used as the number for budget purposes; she also advised that additional cuts may be implemented in the areas of academic programs and athletics.

Chairman, Eddie Dean stated it appears that Richmond doesn't have any problems with passing "cuts" along to the localities.

Jim Nelson of the Madison County School Board was also present and stated

he didn't feel that parents in Madison County fully realize what's coming with regards to proposed cuts in various school programs (i.e. athletics, academics, career & technology) which he feels is where the Madison County School System is headed – this will not be a very welcome issue and it appears the County will be going backwards.

Dr. Brenda Tanner, Superintendent, stated the Madison County School System has been very active in communicating all information to parents and local groups as to what the proposed cuts will mean and also stressed the significance of job losses – this has also been relayed onto representatives in Richmond; she also advised how the proposed cuts will affect the students and remaining staff members; however, based on the proposed cuts, there is no way to balance the budget without reducing staff positions and she believes things are only going to get much worse.

James L. Arrington asked if this was the third year the County has held off on replacing buses in the fleet.

Dr. Brenda Tanner, Superintendent, stated about two (2) years ago, the School System was awarded a supplemental appropriation which was utilized to purchase a bus and an additional bus was purchased during the past year; also, a special education bus was purchased with the use of stimulus money. In closing, she stated the fleet is generally replaced on a twelve-year cycle (one bus is currently twelve years old) and the Transportation Department is currently shifting buses from routes as a means of utilizing older buses as 'sub buses' and to also be used for athletic travels. It has been deemed that some of the athletic trips are quite long and it was questioned as to whether this was a viable option.

Pete J. Elliott questioned whether the County will get to the point where the School System will need to purchase four (4) to five (5) buses all at once if the replacement cycle continues to be ignored.

Dr. Brenda Tanner, Superintendent, stated the School System has also researched the lease/purchase option; however, the School System is trying to be as conservative as possible.

Chairman, Eddie Dean questioned the interest rate on the purchase of a bus over a five-year period, to which Dr. Brenda Tanner, Superintendent, advised it was about fifteen percent (15%) over a five-year period; however, to purchase a regular bus outright costs about \$75,000.00 – special education buses are more costly because of the special equipment that must be installed (i.e. lifts).

Chairman, Eddie Dean questioned the escrow fund that was established a year ago to hold school funds, as he did not see these funds listed in the report that was provided; therefore, he asked if there were plans to use those funds during the coming year. .

Dr. Brenda Tanner, Superintendent, stated the School System had hoped to maintain that account separate from the upcoming budget in order to continue adding funds to be used for larger projects in the future (i.e. current balance is insufficient to handle any major projects).

Chairman, Eddie Dean called for a five (5) minute recess.

Carl Pumphrey, Director of Emergency Management Services, returned and gave the “thumbs up” on the weather forecast for the evening, after which time, Chairman, Eddie Dean announced the Board will return at 7:30 p.m. to conduct the evening session which will include a Public Hearing on Ordinance #2010-1 for the Madison Malvern Subdivision.

James L. Arrington asked if a decision would be needed following the close of the proposed Public Hearing on the Madison Malvern Subdivision and whether the Board can postpone the scheduled session.

Lisa Robertson, County Administrator, stated that if tonight's Public Hearing is postponed because of the impending inclement weather, the session will not need to be re-advertised, but the Board will need to adjourn tonight's meeting and determine a date to reconvene in order to conduct the Public Hearing.

#### **IN RE: JOURNEY THROUGH HALLOW GROUND PARTNERSHIP**

Chairman, Eddie Dean advised that Cate Magennis-Wyatt will be attending on an alternate date as a result of today's weather conditions.

Lisa Robertson, County Administrator, advised that the Northern Virginia area received more snowfall than Madison County which prohibited tonight's presentation from the Journey Through Hallowed Ground Partnership.

#### **IN RE: APPROVAL OF FORESTRY GRANT**

Lisa Robertson, County Administrator, advised that she can provide an overview on the aforementioned topic or reschedule for a later date as this item isn't of an urgent nature.

#### **IN RE: MINUTES**

Chairman, Eddie Dean advised that Minutes #2 and #3 will need to be approved.

Jacqueline S. Frye, Secretary, advised that Minutes #2 will need to be approved as amended in order to compensate for corrections that needed to be incorporated.

On motion of James L. Arrington, seconded by Jerry J. Butler, Minutes #2 are approved as amended and Minutes #3 are approved as submitted and spread in Minute Book #17, page , through page , with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
J. Dave Allen	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye

**IN RE: BOARD OF SUPERVISOR'S REPORS (Meetings Attended in Past Month)**

Chairman, Eddie Dean stated there were probably no meetings attended during the past month, but opened the floor for Board Members to discuss any concerns.

**Madison County Planning Commission**

Pete J. Elliott stated that he attended the Madison County Planning Commission Workshop session and there was a report provided on the Wind Energy Ordinance; he stated that V. R. Shackelford, III, County Attorney, Rodney Lillard, Chair(man) of the Madison County Planning Commission, and others have put quite a bit of effort into the preparation of a Wind Energy Ordinance, therefore, he questioned if the Madison County Board of Supervisors would be interested in having V. R. Shackelford, III, County Attorney, continue pursuing this Ordinance; he also questioned whether any public inquiries have been verbalized.

V. R. Shackelford, III, County Attorney, stated there has been an inquiry, but once the issue of cost was provided, the individual's interest changed.

James L. Arrington asked if the wind energy would only include turbines, to which Pete J. Elliott stated the sources will also include windmills (and turbines) to produce electricity to home(s).

V. R. Shackelford, III, County Attorney, stated there is a program in which people utilize this source to provide energy to their homes, however, the process is relatively complicated. Although people have interest in this alternative energy source, the question is whether they are willing to take the necessary steps in moving forward with the process.

V. R. Shackelford, III, County Attorney, stated some investigation was put forth into what the surrounding localities have done – Albemarle County has adopted an Ordinance; Orange and Culpeper County (ies) have not; and Greene County has a



proposal on the table, and it appears their Ordinance is the one that is most clear and appropriate for Madison County (i.e. excellent clarity).

V. R. Shackelford, III, County Attorney, suggested one of the goals for Madison County should be to keep things ‘simple’ – he also stated the Madison County Planning Commission had some representatives attend a meeting about nine (9) months ago who provided a very detailed presentation about Wind Energy; he also stated there were some wind charts provided for Madison County and there only appears to be one type of location appropriate for a commercial set up; however, he has some concerns whether citizens in Madison County will actually pursue this type of alternative energy source.

V. R. Shackelford, III, County Attorney, also explained that any excess electricity generated will be purchased by Dominion Power Company.

Lisa Robertson, County Administrator, questioned what would happen if the County decided to ‘do nothing’ and citizens decided they would like to pursue the alternative energy source.

J. Dave Allen stated he feels that since the Madison County Planning Commission is interested in investigating wind energy as an alternative energy source, then the Madison County Board of Supervisors should at least ‘open the door’ to this option rather than to ‘do nothing’ as a means of not allowing citizens to pursue this energy source should they so desire.

James L. Arrington asked if citizens could apply for a special use permit, to which V. R. Shackelford, III, County Attorney, added that citizens will be ‘allowed’ by special use permits in a C1, B1, and M1 zone, but will not be allowed to do so in a residential zone.

V. R. Shackelford, III, County Attorney, also stated some of the requirements include that a tower must be one hundred feet (100’) or less and that a windmill could be no more than twenty feet (20’) off the ground; he also stated the Madison County

Planning Commission would like to allow those in residential zones the option to pursue the alternative energy source.

Pete J. Elliott advised that Rodney Lillard, Chair(man) of the Madison County Planning Commission questioned whether the Madison County Board of Supervisors was interested in proceeding with investigating the aforementioned alternative in order to determine whether the Commission should proceed any further.

Jerry J. Butler stated that he is interested in proceeding in an effort to attain the right for residential owners to participate if they wish to save on their electric bill and they have a good wind tunnel coming across their property.

V. R. Shackelford, III, County Attorney, stated one thing that could result in an issue is that no co-location will be permitted (as what is allowed with Virginia Broadband).

James L. Arrington asked for the reasoning behind not allowing co-location, to which V. R. Shackelford, III, County Attorney, stated he believes there are interference issues; additionally, he stated it is unsure (at this time) whether Dominion Power is willing to buy excess power if co-location is a factor.

In closing, V. R. Shackelford, III, County Attorney, stated the issue of electricity is very technical and that Lloyd Williams, Vice-Chair (man) of the Madison County Planning Commission seems to be well versed in this area.

V. R. Shackelford, III, County Attorney, also advised that he has gotten some thoughts together and will denote them on paper.

#### **Department of Social Services (Board)**

Jerry J. Butler stated that he attended training for new members appointed to the Social Services Board – during the training session, it was mentioned that if an email is shared between three (3) members of a Board, it then becomes public information; therefore, he asked if this factor also applies between the members of the Madison County Board of Supervisors.

V. R. Shackelford, III, County Attorney, stated that members of the Madison County Board of Supervisors aren't supposed to communicate any County business through email transmissions.

Lisa Robertson, County Administrator, referred to a case in Fredericksburg, Virginia in which it was noted that if there are three (3) members of a Board together, this is not declared as a "meeting" – she also advised that an "electronic meeting" isn't allowed between Board members no business can be transacted outside of the normal meeting environment.

V. R. Shackelford, III, County Attorney, stated the Board members can "share" information, but not "discuss" it.

Chairman, Eddie Dean also stated that Board members are also not permitted to participate in an 'instant message' via email.

#### **Rappahannock Juvenile Detention Center**

James L. Arrington stated he attended the recent meeting of the Rappahannock Juvenile Detention Center during which time the budget was approved – a copy should be forthcoming to Teresa Miller, Finance Director. Additionally, he stated the budget showed several reductions and there were some personnel issues discussed.

V. R. Shackelford, III, County Attorney, asked if the enrollment for Madison County had increased, to which James L. Arrington advised the enrollment is about the same.

Chairman, Eddie Dean stated with regard to the act of declaring a local state emergency as denoted in the report provided by Carl Pumphrey, Director of Emergency Management Services, this action will need to be ratified by the entire Madison County Board of Supervisors; however, since there is a possibility the Center will be open again tomorrow, he suggested the Board wait until Friday to ratify this declaration.

Lisa Robertson, County Administrator, stated the Board can vote on everything Friday and confirm specific termination of the emergency, or the Board can vote to ratify the initial declaration and confirm continuance at least through tomorrow.

After discussion, on motion of Jerry J. Butler, seconded by James L. Arrington, the Madison County Board of Supervisors voted to ratify the declaration of a local emergency in Madison County, Virginia, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
J. Dave Allen	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye

Chairman, Eddie Dean thanked Robert Finks, Director of Emergency Communications and Carl Pumphrey, Director of Emergency Management Services for keeping the Madison County Board of Supervisors well informed during the recent snowstorm, by email correspondence.

#### **IN RE: FY2011 BUDGET (County Administrator's Recommendations)**

Lisa Robertson, County Administrator, provided an overview of the balanced budget for FY2011 and stated in order to achieve this, \$2,900,000,000.00 was designated from the County fund balance in order to offset expenditures and a reduction was implemented in the amount that was proposed to budget the Contingency fund by about \$745,000.00 in order to achieve the balanced budget; she stated the memorandum that was provided also stated the Government Finance Association published some 'best budget practices' and they (like the County's Auditors) recommend there is a certain minimum unrestricted undesignated fund balance that a locality needs to maintain and not dip into; she also stated the Auditors feel the County is moving in the right direction (bi-annual tax collection) in building a sufficient fund balance.

Lisa Robertson, County Administrator, stated the County's total proposed budget is \$31,809,439.00 and denotes a reduction in the current fiscal year budget; she stated a large portion of the reduction is attributed to the Courthouse Project that is scheduled to be completed in the current fiscal year.

Lisa Robertson, County Administrator stated there will be increases with regard to the following:

- 1) Contribution to the Central Virginia Regional Jail (this may change depending whether the current exemption remains in place);
- 2) Increase to local school funding (pending final numbers);
- 3) Upgrades will be required for emergency communications equipment and software (during the upcoming year) [this will be further explained by Robert Finks, Director of Emergency Communications during the upcoming budget workshop session);
- 4) Lease payment on law enforcement vehicles (for the Sheriff's Office) were purchased during the middle of the fiscal year and these payments were not included in the current budget which account for an increase in the amount of \$84,000.00;
- 5) As a result of adjustments at the State level, the County's contribution to the Virginia Retirement System will increase by \$74,000.00;
- 6) The Department of Social Services is requesting funds to supplement an additional benefits worker (this position will also be partially funded by the State) as a result of the increase in their caseload;

Lisa Robertson, County Administrator, also recommended the Board require employees to contribute something toward the current health care plans that are offered in order to offset the forthcoming VRS increases – she advised this practice has been incorporated by other localities. Additionally, she stated that changes in this area could account for a savings of about \$150,000.00 (in the personnel policy).

Lisa Robertson, County Administrator, stated that during the upcoming Budget Workshop Session, she and Teresa Miller, Finance Director, would like to start the meeting with a briefing of the budget format, how to locate expenditure/revenue items, and show specific locations for various items.

Lisa Robertson, County Administrator, also stated that project increases in insurance, property and utilities have been posted online; otherwise, she feels the County has done well in holding expenditures at a minimum. Although there is not a lot of “cushion” in the draft budget, she suggested the Board determine whether there is an adequate cushion based on the uncertainty of revenue to the school system and whether a major cut implemented by the State during the middle of the fiscal year could be covered, if needed.

Chairman, Eddie Dean thanked Lisa Robertson, County Administrator, for tonight’s presentation, as this will be a definite asset at Friday’s upcoming Budget Workshop Session; he stated with the recent loss of electricity, it has been a challenge to work online and utilize technology.

Lisa Robertson, County Administrator, expressed a welcome in compiling tonight’s presentation in an effort to assist the Board.

Jerry J. Butler advised that he noticed figures start with the FY2009 budget revenues and asked if an average budget from FY2006 through FY2008 for each of those areas, to which Chairman, Eddie Dean stated this information can be found in the earlier budgets – he also stated this is what is required by the State of Virginia to be included in this budget document.

Chairman, Eddie Dean stated a copy of the other budgets can be on hand at Friday’s Budget Workshop Session and will include those numbers.

Lisa Robertson, County Administrator, stated she also has a document that is organized by each Department; she also keeps a spreadsheet of actual expenditures and will provide copies during Friday’s Budget Workshop Session.

Chairman, Eddie Dean recessed the meeting until 7:30 p.m.

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**7:30 P.M.:** Meeting reconvened with Chairman, Eddie Dean calling the meeting to order – all members are present.

**IN RE: PUBLIC COMMENT**

Chairman, Eddie Dean opened the floor for public comment and there was none.

**IN RE: PUBLIC HEARING [Ordinance #2010-1 (To Designate the Private Roads Within Malvern of Madison Subdivision as Highways for Law Enforcement Purposes)]**

Chairman, Eddie Dean asked V. R. Shackelford, III, County Attorney, to provide an overview for the public.

V. R. Shackelford, III, County Attorney, provided an introduction describing the proposed Ordinance #2010-1 and the history behind tonight's request; he also noted that the Subdivision request had been pending for a number of years and also noted the following facts:

- 1) Special statute in Virginia Code only applies to subdivisions having more than one hundred (100) lots or residential units;
- 2) The proposed designation does not change the status of roads: they are still private roads for all purposes other than traffic laws.

Chairman, Eddie Dean opened the floor public comment.

Ed Johnson spoke as a representative of the Malvern Homeowner's

Association and noted that their request dates back as far as 2003, when it was considered by the Malvern Homeowner's Association and proposed to the Madison County Board of Supervisors; he also stated at the present time, local law enforcement can only watch traffic laws being broken in the Madison Malvern Subdivision and cannot act; he also

stated there were a series of votes taken during meetings of the Malvern Homeowner's Association with the final vote agreeing to have highways in the subdivision designated as highways for law enforcement purposes. .

Brad Knighting, resident of Malvern of Madison Subdivision since 2000, was present and stated he has concerns about tonight's proposal, but understands why the request is being made; he stated it's difficult to maintain a speed limit of 25 mph all the way from one end of the subdivision to the other, and he also verbalized concerns about the three-way stop signs that may or may not be necessary and that if tonight's proposal is approved, all of a sudden tickets will be issued for violation of the speed limit and stop signs.

Jerry J. Butler questioned the 25 mph limit and asked if a speed limit increase would be allowed under State Code, should the Malvern Homeowner's Association decided to request such; he stated that a driver can easily attain a speed of 35 mph at the entrance to the Malvern of Madison Subdivision – this may well result in a potential speeding ticket being issued.

V. R. Shackelford, III, County Attorney, advised he believes there is a State Code in place regarding the aforementioned concern and he is unsure if there is any leeway regarding this area.

Lisa Robertson, County Administrator, indicated the State Code provision establishes a speed limit that is applicable with the residential district and advised if the Ordinance is approved, then the speed limit and other signage will have to be established within the guidelines that are required by the Virginia Department of Transportation; therefore if the speed limit is to be changed, it will have to be studied and certified by a Traffic Engineer based on the road conditions; however, if the roads in the subdivision aren't designated as roads for law enforcement purposes, the speed limit can be whatever the members of the Malvern Homeowner's Association decide.

James L. Arrington verbalized concerns as to whether additional resources will be asked of the Sheriff's Department and feels this isn't the best time to entertain any



requests that will call for such; however, he understands the request being made isn't for routine patrols but to allow local law enforcement the ability to enforce action if they are in the subdivision and observe a traffic infraction being committed.

Pete J. Elliott verbalized concerns that in the event tonight's proposal is approved by the Madison County Board of Supervisors, there may be sixty (60) residents (in the subdivision) who are in favor of tonight's proposal that will proceed with calling the Sheriff's Department in the event they don't see constant patrol by local law enforcement in the area and this will put a burden on the Sheriff's Department.

Jerry J. Butler stated he didn't feel the County would be in opposition should the citizens of the Malvern of Madison Subdivision decide to offer some compensation for overtime (to the Sheriff's Department) if the Deputies were allowed to patrol the subdivision during special occasions in the area, if the Malvern Homeowner's Association was in agreement to this.

Ed Johnson commented on the aforementioned concerns and also stated the Vice-President of the Malvern Homeowner's Association also advised that law enforcement personnel might need to be compensated for additional services (i.e. overtime); although this concern was discussed, additional patrol from local law enforcement isn't something that is being asked at this time. In addition, he stated the members of the Malvern Homeowner's Association have discussed overtime issues and the fact that costs associated with such would be considered out-of-pocket expenses. In closing, Ed Johnson stated the residents of the subdivision only desire for local law enforcement personnel to be able to cite drivers for infractions and he doesn't feel there will be sixty (60) residents calling the Sheriff's Department.

Chairman, Eddie Dean advised it is the custom of the Madison County Board of Supervisors not to take action the same night of a scheduled Public Hearing.

J. Dave Allen stated he feels the concerns verbalized by Pete J. Elliott and

Jerry J. Butler are valid and doesn't feel the Board can impose something on the Sheriff's Department that cannot be fulfilled; however by approving tonight's request he feels this will provide a tool for law enforcement which cannot be overlooked so long as the burden imposed (on the Sheriff's Department) doesn't overcome the potential for good.

Chairman, Eddie Dean asked if there were any further comments and there were none, therefore, he suggested that any further concerns should be directed to Lisa Robertson, County Administrator, prior to the March Regular Meeting.

Chairman, Eddie Dean stated the Board will make a decision on tonight's issue during the afternoon session (around 4:30 p.m.) of the March Regular Meeting.

With no further comments being provided, Chairman, Eddie Dean closed the Public Hearing on the proposed Ordinance #2010-1 – To Designate the Private Roads Within Malvern of Madison Subdivision as Highways for Law Enforcement Purposes.

With no further action being required by the Board, on motion of Pete J. Elliott, seconded by J. Dave Allen, Chairman, Eddie Dean adjourned the meeting, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
J. Dave Allen	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye

February 10, 2010